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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
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09/033,901 02/28/98 BACHMANN

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| EXAMINER |
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LM01/0719

IP ADMINISTRATION
LEGAL DEPARTMENT 20BN
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| ART UNIT | PAPER NUMBER |
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2773

DATE MAILED: 07/19/99

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/033,901

Applicant(s)
Bachmann

Examiner
Sy D. Luu

Group Art Unit
2773



☒ Responsive to communication(s) filed on Feb 28, 1998

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☒ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

DETAILED ACTION

Specification

1. This application does not contain an abstract of the disclosure as required by 37 CFR 1.72(b).
An abstract on a separate sheet is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wilson et al. ("Wilson", U.S. # 5,392,207).

As per claim 1, Wilson teaches, in an iconic programming system containing an existing network of connected icons (col. 2, lines 38-42), a computer-implemented method for tracing the execution of icons (fig. 5, col. 4, lines 29-32; col. 5, lines 53-55), the method comprising the step of highlighting the icons which are currently being executed on the display (fig. 4, col. 9, lines 58-60). Although Wilson does not explicitly refer to setting a highlighting flag for each icon to indicate its status of being in an execution mode, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make internal use of flags in such a programming system in order to allow differentiation of those icons that are being executed from those that are not.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kodosky et al. (U.S. Patent 5,821,934) teaches a method and apparatus for providing stricter data type capabilities in a graphical data flow diagram, wherein execution highlighting is used to trace the flow of data in the block diagram (abstract; col. 37, para. 6).

Rumbaugh et al. (U.S. Patent 5,005,119) teaches a flowgraph system which controls and tracks computer programs and data sets for a computer-aided design (CAD) task, wherein the setting or clearing of a flag is used in highlighting its associated icon (abstract; col. 12, lines 25-33).

Responses

5. Responses to this action should be mailed to:

**Commissioner of Patents and Trademarks
Washington, D.C. 20231.**

If applicant desires to fax a response, (703) 308-9051(52) may be used for formal communications or (703) 308-6606 for informal or draft communications.

Please label "PROPOSED" or "DRAFT" for informal facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Inquires

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Sy D. Luu** whose telephone number is (703) 305-0409. The examiner can normally be reached on **Monday - Thursday from 6:30 am to 4:00 pm**. The examiner can also be reached on alternate **Friday**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Matt Kim**, can be reached on (703) 305-3821.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

SL
Sy D. Luu
Patent Examiner
July 15, 1999

sdl

[Signature]
RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2773